



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Executive Director

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Division Director

April 3, 2003

Andrea Holley
H&H Stone Company, Inc.
P. O. Box 250
Dove Creek, Colorado 81324

Re: Response to Deficiency Letter, H&H Stone, Holley Project, S/037/117, San Juan County, Utah, Utah

Dear Ms. Holley:

I received your voice message left with Earlene Russell on March 27, 2003, and a copy of your March 28 letter. (I've tried several times to return your call, but the line has been busy.) Although your letter provides most of the information we need, we prefer to have one complete notice of intention rather than a deficient notice followed by a letter providing the balance of the information. Therefore, I request that, once you have complete information available, you provide a complete copy of the notice of intention.

We need you to clarify the current condition of the road and may need to have you provide information about the county's and/or the land owner's desires for the condition in which they would like the road left. Your letter indicates there is a county road all the way to where you plan to mine and that Roberta Stoner, identified in the notice of intention as the surface owner, would like the road retained for access. If the road currently exists, especially if it is a public road, the Division of Oil, Gas and Mining does not intend to regulate it or require reclamation. If, however, the road is widened, we would include the additional disturbance created through widening in your disturbed area. That does not necessarily mean the additional disturbance would need to be reclaimed.

Please let us know the current condition of the road and what improvements, if any, you intend to make. If you improve the road and either the land owner or the county desires that these improvements be retained for a postmining use, please provide evidence to this effect. In that case, it is very unlikely we would require the improvements to be reclaimed.

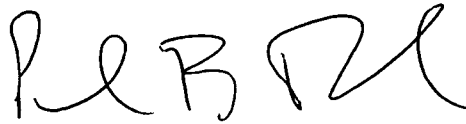
We do not need a copy of the approval from the School and Institutional Trust Lands Administration (SITLA), but the notice of intention needs to show that you have an approved lease and needs to include the lease number. Since the surface and mineral estates have been severed, you should try to coordinate your activities with the surface owner.

Once the cultural resources report is completed, let us know so we can contact the State Historic Preservation Office and receive a clearance or find out what mitigation or avoidance steps are necessary.

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I appreciate your cooperation in resolving these issues. Please don't hesitate to call me at 801-538-5261 if you have any questions about this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', with a stylized, cursive script.

Paul B. Baker
Senior Reclamation Biologist

jb
cc: John Blake (SITLA)
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